

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

*In Re: Boston Scientific Corp.*  
*Pelvic Repair System Products Liability Litigation*  
**MDL No. 2326**

**Civil Action No. 2:14-cv-16304**

---

**SHORT FORM COMPLAINT**

Come now the Plaintiff(s) named below, and for Complaint against the Defendants named below, incorporate The Master Complaint in MDL No. 2326 by reference. Plaintiff(s) further show the Court as follows:

1. Female Plaintiff:

Pamela Jones

2. Plaintiff Husband (if applicable):

Brian Jones

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

N/A

4. State of Residence:

Illinois

5. District Court and Division in which venue would be proper absent direct filing:

U.S. District Court, Southern District of Illinois (East St. Louis Division)

---

6. Defendants (Check Defendants against whom Complaint is made):



A. Boston Scientific Corporation

- ☐ B. American Medical Systems, Inc. ("AMS")
- ☐ C. Johnson & Johnson
- ☐ D. Ethicon, Inc.
- ☐ E. Ethicon, LLC
- ☐ F. C. R. Bard, Inc. ("Bard")
- ☐ G. Sofradim Production SAS ("Sofradim")
- ☐ H. Tissue Science Laboratories Limited ("TSL")
- ☐ I. Mentor Worldwide LLC
- ☐ J. Coloplast Corp.
- ☐ K. Cook Incorporated
- ☐ L. Cook Biotech, Inc.
- ☐ M. Cook Medical, Inc.

7. Basis of Jurisdiction:

- ☒ Diversity of Citizenship
- ☐ Other: \_\_\_\_\_

A. Paragraphs in Master Complaint upon which venue and jurisdiction lie:

4, 5 and 6

\_\_\_\_\_

\_\_\_\_\_

B. Other allegations of jurisdiction and venue:

Pursuant to 28 U.S.C. section 1407, the Judicial Panel on Multi-District Litigation  
created MDL 2326 to be presided over by this Court. This matter properly falls  
the scope of MDL 2326.

8. Defendants' products implanted in Plaintiff (Check products implanted in Plaintiff):

- ☐ The Uphold Vaginal Support System;
  - ☐ The Pinnacle Pelvic Floor Repair Kit;
  - ☐ The Advantage Transvaginal Mid-Urethral Sling System;
  - ☐ The Advantage Fit System;
  - ☐ The Lynx Suprapubic Mid-Urethral Sling System;
  - ☒ The Obtryx Transobturator Mid-Urethral Sling System;
  - ☐ The Prefyx PPS System;
  - ☐ The Solyx SIS System; and/or
  - ☐ Other
- 
- 

9. Defendants' Products about which Plaintiff is making a claim. (Check applicable products):

- ☐ The Uphold Vaginal Support System;
- ☐ The Pinnacle Pelvic Floor Repair Kit;
- ☐ The Advantage Transvaginal Mid-Urethral Sling System;
- ☐ The Advantage Fit System;
- ☐ The Lynx Suprapubic Mid-Urethral Sling System;
- ☒ The Obtryx Transobturator Mid-Urethral Sling System;
- ☐ The Prefyx PPS System;
- ☐ The Solyx SIS System; and/or

☐ Other

\_\_\_\_\_  
\_\_\_\_\_

10. Date of Implantation as to Each Product:

January 16, 2007

\_\_\_\_\_  
\_\_\_\_\_

11. Hospital(s) where Plaintiff was implanted (Including City and State):

St. Mary's Health Center, St. Louis, MO

\_\_\_\_\_  
\_\_\_\_\_

12. Implanting Surgeon(s):

Mary McLennan, MD

\_\_\_\_\_  
\_\_\_\_\_

13. Counts in the Master Complaint brought by Plaintiff(s)

- ☒ Count I – Negligence
- ☒ Count II – Strict Liability – Design Defect
- ☒ Count III – Strict Liability – Manufacturing Defect
- ☒ Count IV – Strict Liability – Failure to Warn
- ☒ Count V - Breach of Express Warranty
- ☒ Count VI – Breach of Implied Warranty
- ☒ Count VII (by the Husband) – Loss of Consortium

☒ Count VIII – Discovery Rule, Tolling and Fraudulent Concealment

☒ Count IX – Punitive Damages

☐ Other Count \_\_\_\_\_ If Plaintiff asserts additional claims,  
please state the factual and legal basis for these claims below:

---

---

---

☐ Other Count \_\_\_\_\_ If Plaintiff asserts additional claims,  
please state the factual and legal basis for these claims below:

---

---

---

s/ William J. Doyle II

Attorney(s) for Plaintiff

Address, phone number, email address and bar information:

William J. Doyle II (CA# 188069)  
Christopher W. Cantrell (CA# 290874)  
DOYLE LOWTHER LLP  
10200 Willow Creek Road, Suite 150  
San Diego, CA 92131  
Tel: (858) 935-9960  
Fax: (858) 939-1939